

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of Aaron Lamstein)

Group Art Unit: Not Yet Assigned

Application No.: 10/801,240)

Examiner: Not Yet Assigned

Filing Date: March 15, 2004)

**INFORMATION DISCLOSURE
STATEMENT**

For: DEEPERSLEEPER)

BOX IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on this date June 8, 2004, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Teri Nelmark

Dear Sir:

Applicant submits herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which he is aware, pursuant to his duty to disclose in accordance with 37 C.F.R. § 1.56.

This Information Disclosure Statement is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.]

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified). A copy of each of the items listed on form PTO-1449 is supplied herewith.

A concise explanation of relevance of the items listed on PTO-1449 is not given. The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. Furthermore, pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in this statement is, or is considered to be, material to patentability, as defined in 1.56(b). It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment to our Deposit Account No. 04-0822.

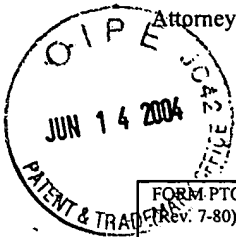
Respectfully submitted,

DERGOSITS & NOAH LLP

Dated: June 8, 2004

By: Michael E. Dergosits
Michael E. Dergosits

Four Embarcadero Center
Suite 1450
San Francisco, California 94111
(415) 705-6377 Telephone
(415) 705-6383 Facsimile



Attorney Docket No.: 545.41

PATENT

Sheet 1 of 1

| | | | | | | | |
|--|--|--|------------------|--------------------------------|-------|-------------------------------|-----------------------|
| FORM PTO-1449 (Rev. 7-80) | | U.S. Dept. of Commerce Patent and Trademark Office | | Atty. Docket No. 545.41 | | Application No. 10/801,240 | |
| LIST OF REFERENCES CITED BY APPLICANT | | | | Applicant: Aaron Lamstein | | | |
| (Use several sheets if necessary) | | | | Filing Date: March 15, 2004 | | | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| Examiner Initials | | Document Number | Date | Name | Class | Subclass | Filing Date |
| | | | | | | | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | Document Number | Publication Date | Country | Class | Subclass | Translation Yes No |
| | | | | | | | |
| OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
| | | 2001 <i>Doctors Foster & Smith</i> , Vol. 01-54, page 19 | | | | | |
| Examiner | | | | Date Considered | | | |
| * Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | | |